



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 12, 2008

By Facsimile

Honorable Leonard B. Sand
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

**USDC SDNY
DOCUMENT
ELECTRONICALLY FILED**
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**Re: United States v. Antonio Padilla-Parra & Franklin Payano,
07 Cr. 1168 (LBS)**

Dear Judge Sand:

The Government writes to respectfully request a one-month adjournment of the pre-trial conference currently scheduled for March 13, 2008 at 10:30 a.m. With respect to defendant Padilla-Parra, defense counsel has informed the Government of his client's desire to enter a plea of guilty, and the Government has been working with defense counsel to prepare the materials for the plea. However, the parties need some additional time to finalize the plea agreement. With respect to defendant Payano, the parties are involved in plea negotiations and expect to reach a disposition within the next month. Should either case have a resolution sooner, the Government would promptly inform the Court and schedule a plea before either Your Honor or a Magistrate Judge.

Should the Court grant the adjournment request, the Government further respectfully requests (with the consent of defense counsel) that the Court exclude the time under the Speedy Trial Act until the date of the new conference because the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(8).

Respectfully submitted,
MICHAEL J. GARCIA
United States Attorney

[Signature]
By: Parvin Moyné
Assistant United States Attorney

cc: Mark Cohen, Esq. (by facsimile: (212) 293-7224)
Edward Joel Abramson (by facsimile: (305)-594-0043)

MEMO ENDORSED**MEMO ENDORSED**